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For Immediate Release
September 12, 2006

ELMIRA POULTRY INC. FINED \$100,000 FOR HEALTH AND SAFETY VIOLATION

KITCHENER, Ont. – Elmira Poultry Inc., a Waterloo, Ont.-based manufacturer that mainly produces processed poultry products, was fined \$100,000 on September 7, 2006 for a violation of the Occupational Health and Safety Act that resulted in the death of an employee.

On September 20, 2005, a worker was moving a machine that converts raw meat into specific product shapes such as nuggets or burgers when a live, 600-volt, overhead electrical cord got caught in the machine and resulted in the worker being fatally electrocuted. At the time of the incident, the worker was wearing wet leather work boots and was likely standing on a wet floor near a drain. The incident occurred at the company's plant at 605 Kumpf Drive in Waterloo.

Elmira Poultry Inc. pleaded guilty, as an employer, to failing to ensure the machine was moved in such a way, and with such precautions, so as to ensure its moving did not endanger the worker's safety, as required by Section 45(a) of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

The fine was imposed by Justice of the Peace Robert Gay of the Ontario Court of Justice in Kitchener. In addition, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

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Court Information at a Glance

Location: Ontario Court of Justice
77 Queen Street, Courtroom 1
Kitchener, Ontario

Judge: Justice of the Peace Robert Gay

Date / Time: September 7, 2006, 9:30 a.m.

Defendant: Elmira Poultry Inc.

Matter: Occupational Health & Safety

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